

PARKER POE

PARKER POE ADAMS & BERNSTEIN LLP

Attorneys and Counselors at Law

Faye A. Flowers
Special Counsel
Telephone: 803.253.8912
Direct Fax: 803.255.8017
fayeflowers@parkerpoe.com

1201 Main Street
Suite 1450
P.O. Box 1509
Columbia, SC 29202-1509
Telephone 803.255.8000
Fax 803.255.8017
www.parkerpoe.com

April 17, 2009

Via Electronic Filing

Mr. Charles Terreni
Chief Clerk and Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, SC 29210

Re: *Application of Southern Power Company-South Carolina for a Certificate of Environmental Compatibility and Public Convenience and Necessity*
Docket No. 2009-165-E

Dear Mr. Terreni:

Attached for filing with the Commission please find Applicant Southern Power Company-South Carolina's Motion for Admission of Counsel *Pro Hac Vice* in connection with the above-referenced Docket. Also attached please find for the convenience of the Commission, a proposed Order for Admission of Counsel *Pro Hac Vice*. By copy of this letter we are serving all parties of record with a copy of the Motion and proposed Order.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Faye A. Flowers

FAF/ccq
Attachments

cc: Joseph Melchers, Esquire (*w/enclosures*)
Florence P. Belser, Esquire (*w/enclosures*)
Carlisle Roberts, Esquire (*w/enclosures*)
Mr. John E. Frampton (*w/enclosures*)
Mr. Chad Prosser (*w/enclosures*)

CHARLESTON, SC
CHARLOTTE, NC
MYRTLE BEACH, SC
RALEIGH, NC
SPARTANBURG, SC

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA**

DOCKET NO. 2009-165-E

**In Re: Application of Southern Power)
Company d/b/a Southern Power)
Company-South Carolina for a)
Certificate of Environmental)
Compatibility and Public Convenience)
and Necessity for the Construction and)
Operation of a New 230-kV Transmission)
Line in Cherokee County, South Carolina)
_____)**

**APPLICANT SOUTHERN POWER
COMPANY-SOUTH CAROLINA'S
MOTION FOR ADMISSION OF
COUNSEL *PRO HAC VICE***

The Applicant, Southern Power Company-South Carolina ("Southern Power"), hereby moves the Commission for an Order permitting W. Edward Poe, Jr. of the firm Parker Poe Adams & Bernstein LLP to appear as counsel *pro hac vice* in this case. A Certificate of Good Standing from the North Carolina Supreme Court and a copy of his Verified Application for admission are attached in support of this Motion.

Respectfully submitted, this 17th day of April, 2009.



Faye A. Flowers
South Carolina Bar No. 2034
Parker Poe Adams & Bernstein LLP
1201 Main Street, Suite 1450
Columbia, SC 29201
Telephone: 803-253-8912
Fax: 803-255-8017
fayeflowers@parkerpoe.com

*Attorney for the Applicant
Southern Power Company-South Carolina*

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

Southern Power Company docket number 2009-165-E South Carolina Public Service
 vs. Applicant ~~Plaintiff~~ ~~XXXX~~ Commission

South Carolina Public Service Mailing Address of ^{agency} ~~Court~~: 101 Executive Center Drive
~~XXXX~~ Commission Suite 100
Columbia, SC 29210

Comes now W. Edward Poe, Jr., applicant herein, and respectfully represents the following:

1. Applicant resides at:
3801 Sedgewood Circle

Street Address _____
Charlotte Mecklenburg North Carolina 28211
 City County State Zip Code
(704) 366-1673
 Telephone _____

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)
Parker Poe Adams & Bernstein LLP, with offices at, at
401 South Tryon Street, Suite 3000

Street Address _____
Charlotte Mecklenburg North Carolina 28202
 City County State Zip Code
(704) 335-9051 (704) 335-9570
 Telephone Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by Southern Power Company to provide legal representation in connection with the above application pending before the above named ~~court~~ ^{agency} of the State of South Carolina.

4. Since September of 1974, applicant has been, and presently is, a member in good standing of the bar of the highest court of the ~~District of Columbia~~ ^{State of} North Carolina where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
U.S. District Court Western District of NC	September 25, 1974
U.S. District Court Middle District of NC	August 31, 1976
U.S. Court of Appeals - Fourth Circuit	May 20, 1977
United States Supreme Court	May 12, 2008
North Carolina Superior Court	September 25, 1974

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:
(List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

Correct

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

Correct

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

Correct

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

Correct

9. Local counsel of record associated with applicant in this case is Faye A. Flowers, of the Parker Poe Adams & Bernstein/LLP firm, which has offices at:
1201 Main Street, Suite 1450

Street Address			
<u>Columbia</u>	<u>Richland</u>	<u>South Carolina</u>	<u>29201</u>
City	County	State	Zip Code
<u>(803) 255-8000</u>			
Telephone			

If applicable list all other firms/attorneys you are associated with in this matter

Ron J. Tryon - Parker Poe Adams & Bernstein LLP
1201 Main Street, Suite 1450, Columbia, SC 29201

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

None

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 23rd day of February, 2009.

W. Edward Poe Jr.
APPLICANT

VERIFICATION

STATE OF NORTH CAROLINA)

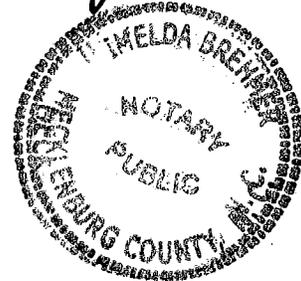
COUNTY OF MECKLENBURG)

I, W. EDWARD POE, JR., do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

W. Edward Poe Jr.
APPLICANT/AFFIANT

Subscribed and sworn to before me this 23rd day of February, 2009.

Imelda Brehmer
Notary Public for the State of North Carolina
My Commission Expires: July 19, 2012



LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 24th day of February, 2009.

Jaye A. Flowers
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 16th day of April, 2009.

W. Edward Poe Jr.
APPLICANT/AFFIANT

Supreme Court OF THE STATE OF NORTH CAROLINA



I, Christie Speir Cameron, Clerk of the Supreme Court of North Carolina, do hereby certify that on September 1, 1974, a license to practice as an Attorney and Counselor at Law in all the Courts of this State was issued by the North Carolina Board of Law Examiners to

W. EDWARD POE, JR.

according to the certified list of licentiates reported by the Secretary of said Board and filed in my office as required by statute.

To the date of this certificate, no order revoking said license has been filed with this Court and no order suspending same is in effect.

WITNESS my hand and the Seal of the Supreme Court of North Carolina at the office in Raleigh, this February 25, 2009

Christie S. Cameron

*Christie Speir Cameron
Clerk of the Supreme Court
of the State of North Carolina*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 17, 2009, a true copy of the foregoing **MOTION FOR ADMISSION OF COUNSEL *PRO HAC VICE*** containing a copy of the verified **APPLICATION FOR ADMISSION *PRO HAC VICE***, the original of which was previously mailed to the South Carolina Supreme Court, was delivered to the below-listed persons this date by placing the same, enclosed in a first-class, postage-prepaid envelope, in an official depository under the exclusive care and custody of the United States Postal Service, addressed as follows:

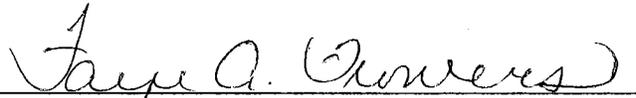
Joseph Melchers
General Counsel
South Carolina Public Service Commission
Saluda Building
101 Executive Center Drive, Suite 110
Columbia, SC 29210

Carlisle Roberts, Esquire
SC Dept. of Health and Environmental
Control
Legal Department
2600 Bull Street
Columbia, SC, 29201

Florence P. Belser, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC, 29201

John E. Frampton, Director
SC Dept. of Natural Resources
Post Office Box 167
Columbia, SC, 29202

Chad Prosser, Director
SC Dept. of Parks, Recreation and Tourism
1205 Pendleton Street, Suite 248
Columbia, SC, 29201



Faye A. Flowers
Attorney for the Applicant
Southern Power Company-South Carolina

**BEFORE
THE PUBLIC SERVICE COMMISSION
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Company-South Carolina for a)
Certificate of Environmental)
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Line in Cherokee County, South Carolina)
_____)**

**ORDER FOR ADMISSION OF
COUNSEL *PRO HAC VICE***

It appearing to the Commission that W. Edward Poe, Jr. is a member in good standing of the North Carolina Bar and it appearing that W. Edward Poe, Jr. has associated local counsel, Faye A. Flowers of the law firm of Parker Poe Adams & Bernstein LLP, who is a member of the South Carolina Bar, it is therefore,

ORDERED that W. Edward Poe, Jr. of the law firm of Parker Poe Adams & Bernstein LLP, 401 South Tryon Street, Suite 3000, Charlotte, N.C. 28202 is hereby admitted *Pro Hac Vice* to act as counsel for Applicant Southern Power Company-South Carolina, and participate in all discovery, motions, hearings and arguments in the above-captioned matter and all matters connected therewith.

AND IT IS SO ORDERED.

Chairman
South Carolina Public Service Commission

Columbia, South Carolina
_____, 2009